GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:4608
ANSWERED ON:08.12.2010
PENDING INVESTIGATION
Yadav Shri Hukamdeo Narayan

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) the reasons for investigations pending against the various persons and the time by when these investigations are likely to be completed;

(b) the reasons for delay in according permission by the department to file cases against the concerned persons;

(c) the details of action being taken to dispose of appealed cases immediately;

(d) the number of individuals promoted out of total individuals against whom inquiry is underway;

(e) whether it is appropriate to promote or to relieve the individual on deputation as the inquiry against them is underway; and

(f) if so, the details thereof?

Answer

Minister of State in the Ministry of Planning and Minister of State in the Ministry of Parliamentary Affairs; and Minister of State in the Ministry of Personnel, Public Grievances and Pensions. (SHRI V. NARAYANASAMY)

(a): The registration, investigation and disposal of cases is a continuous process. However, the main reasons for pendency of cases are, inter alia, complicated nature of cases taken up by CBI, time taken in collection and scrutiny of voluminous documents, examination of large number of witnesses, scientific and forensic examination of exhibits, obtaining expert legal advice and stay of investigation by Courts.

(b): Each case regarding grant of sanction of Prosecution is examined, separately, by the respective Ministry / Department for decision on merits. The reasons for the delay in obtaining prosecution sanction is generally attributed to incomplete investigation report, which may not be adequately supported by convincing documentary evidences or the time taken in consultation with other authorities including the CVC.

(c): The Government does not intervene in the judicial functioning of the Courts. However, the Government has set up 39 Special Judge/ Magistrate Courts for expeditious trial of cases investigated by CBI. On the recommendation of the Chief Justice of India, it has been decided to set up 71 Additional Special Courts in various States to expedite disposal of court cases, out of which 51 Courts have already been sanctioned. Further, 284 posts of Prosecuting Officer and supporting staff have been approved for CBI for the purpose.

(d): Such information is not maintained centrally.

(e) & (f) : Cases of promotion and deputation of individuals against whom an inquiry is underway are governed by existing rules/guidelines on the subject.